

**State of California, Court of Appeal  
Fourth Appellate District, Division 3  
November 22, 2004**

CIVIL            ELSA E. SHUSTER et al.  
No.                v.  
G032163        CALIFORNIA AUTO DEALERS EXCHANGE INC., et al.

Order filed. The petition for rehearing is denied.

Rylaarsdam, J.

We concur:    Sills, P.J.  
                      Bedsworth, J.

CRIM            THE PEOPLE  
No.                v.  
G032482        TONY ALBERTO STUBBS

Order filed. Pursuant to California Rules of Court, rule 23(e)(1), submission of the above matter is vacated. Appellant is invited to file a supplemental letter brief no later than December 22, 2004, limited to addressing the effect, if any, of *Blakely v. Washington* (2004) \_\_U.S.\_\_, 124 S.Ct. 2531, on this appeal. Respondent may file a supplemental letter brief in response no later than January 21, 2005. Appellant may file a supplemental reply letter brief no later than February 16, 2005. Upon the filing of these letter briefs, or the expiration of the time within which to file these letter briefs, the cause will be resubmitted for the time permitted by law.

Rylaarsdam, Acting P.J.

CRIM            THE PEOPLE  
No.                v.  
G033039        APOLINIO RAMOS ALVAREZ

Order filed. Pursuant to California Rules of Court, rule(e)(1), submission of the above matter is hereby vacated, and appellant is invited to file a supplemental brief no later than December 9, 2004, limited to the effect, if any, of *Blakely v. Washington* (2004) \_\_U.S.\_\_, 124 S.Ct. 2531, on the imposition of the upper terms on counts 2 and 3. Respondent may file a supplemental brief no later December 30, 2004. The cause will be resubmitted thereafter for the term permitted by law.

O'Leary, Acting P.J.

**State of California, Court of Appeal  
Fourth Appellate District, Division 3  
November 23, 2004**

CRIM No. G030445	THE PEOPLE v. TIEN HSIANG MO	Not for publication
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Opinion filed. Judgment affirmed.

Rylaarsdam, J.

We concur: Sills, P.J.  
Moore, J.

CIVIL No G032112	PROFESSIONAL REAL ESTATE ENTERPRISES et al. v. SELECT OFFICE SOLUTIONS et al.	Not for publication
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Opinion filed. Postjudgment order affirmed.

By the Court

Before Sills, P.J., Aronson, J., and Fybel, J.

CIVIL No. G032976	DONALD LONG v. DISNEYLAND RESORT, etc.	Not for publication
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Opinion filed. Judgment affirmed.

O’Leary, J.

We concur: Sills, P.J.  
Moore, J.

CRIM No. G033101	THE PEOPLE v. ROBERT WAYNE SAUL, JR.	Not for publication
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Opinion filed. Judgment affirmed.

Ikola, J.

We concur: O’Leary, Acting P.J.  
Aronson, J.

**State of California, Court of Appeal  
Fourth Appellate District, Division 3  
November 23, 2004 (Cont'd)**

CIVIL No. G033115	ANDREW HIGGINS v. SHEPPARD MULLIN, RICHTER & HAMPTON et al.	Not for publication
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Opinion filed. Order affirmed.

O'Leary, J.

We concur: Sills, P.J.  
Moore, J.

CIVIL No. G033363	SUPERBRACE, INC., et al. v. KELLY TIDWELL et al.	Certified for partial publication
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Opinion filed. Judgment affirmed.

O'Leary, Acting P.J.

We concur: Moore, J.  
Fybel, J.

CIVIL No. G033810 G034728	GLENN DAVIS et al. v. DAVID HAMEDANY
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Order filed. On the court's own motion, and for good cause, case numbers G033810 and G034728 are consolidated for all purposes.

By the Court

Before Rylaarsdam, Acting P.J., Moore, J., and Fybel, J.

CIVIL No. G033813	BRADLEY S. TARANTO v. WHITTIER COLLEGE	Not for publication
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Opinion filed. Judgment affirmed.

Aronson, J.

We concur: Rylaarsdam, Acting P.J.  
Ikola, J.

**State of California, Court of Appeal  
Fourth Appellate District, Division 3  
November 23, 2004 (Cont'd)**

CRIM No. G033785	DONALD CLARK MYERS v. THE SUPERIOR COURT OF ORANGE COUNTY; THE PEOPLE	Not for publication
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Opinion filed. Petition granted.

O'Leary, Acting P.J.

We concur: Moore, J.  
Fybel, J.

CIVIL No. G034224 G033638	TRIPOLE CORPORATION et al. v. NOVELL INCORPORATED et al.
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Order filed. Appellant's motion to vacate the dismissal, reinstate the appeal, and be relieved from default is granted. The order of dismissal is vacated and the appeal is reinstated.

Appellant's motion to consolidate case number G034224 and G033638 is granted. The appeals are now consolidated for all purposes. Appellant's opening brief in the consolidated appeals shall be due 30 days after the record is filed in G033638.

Sills, P.J.

CRIM No. G034657	CODY DALE LUND, et al. v. THE SUPERIOR COURT OF ORANGE COUNTY; THE PEOPLE OF THE STATE OF CALIFORNIA	Not for publication
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Opinion filed. Petition granted.

By the Court

Before O'Leary, Acting P.J., Moore, J. and Ikola, J.

CIVIL  
No.  
G030544

McCARTHY BUILDING COMPANIES, INC.  
v.  
TENG LI & ASSOCIATES

Rylaarsdam, Acting P.J.

CIVIL                      DERRICK J. COFFMAN  
No.                         v.  
G031926                CITY OF BREA et al.

Aronson, Acting P.J.

CIVIL                      WORTHINGTON CONSTRUCTION, INC.  
No.                         v.  
G032063                 L.A. CONTRACTORS CORPORATION et al.

O'Leary, Acting P.J.

We concur: Moore, J.  
Fybel, J.

**State of California, Court of Appeal  
Fourth Appellate District, Division 3  
November 24, 2004 (Cont'd)**

CRIM No. G032365	THE PEOPLE v. ANTHONY ROBERT RUFFULE	Not for publication
	Judgment affirmed.	
	We concur: Moore, J. Fybel, J.	O'Leary, Acting P.J.
CIVIL No. G032637	DERRICK J. COFFMAN v. CITY OF BREA et al.	Not for publication
	Opinion filed. Judgment affirmed.	
	We concur: Fybel, J. Ikola, J.	Aronson, Acting P.J.
CIVIL No. G032710	SHARON L. BUSH v. UNIVERSITY COMMUNITY ASSOCIATION et al.	
	Order filed. The petition for rehearing is denied.	
	Before Bedsworth, Acting P.J., Aronson, J., and Fybel, J.	By the Court
CIVIL No. G033046	HARTFORD INSURANCE COMPANY OF ILLINOIS v. BKM ENTERPRISES, INC., et al.	Not for publication
	Opinion filed. Judgment affirmed.	
	We concur: O'Leary, Acting P.J. Moore, J.	Fybel, J.

**State of California, Court of Appeal  
Fourth Appellate District, Division 3  
November 24, 2004 (Cont'd)**

CIVIL            JERRY SHULMAN  
No.                v.  
G033418        PAUL S. MURRAY et al.

Not for publication

Opinion filed. Judgment affirmed.

Aronson, Acting P.J.

We concur:    Fybel, J.  
                     Ikola, J.

**State of California, Court of Appeal  
Fourth Appellate District, Division 3  
November 25, 2004**

Holiday.

**State of California, Court of Appeal  
Fourth Appellate District, Division 3  
November 26, 2004**

Holiday.